

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

400I0276

HOUSE TAXATION COMMITTEE ENGROSSED NO.

SB 35 - 03/04/2003

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: The Committee on Taxation at the request of the Department of Revenue

1 FOR AN ACT ENTITLED, An Act to exempt certain gross receipts from sales and use taxes.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 10-45 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 There are hereby exempted from the provisions of this chapter and the tax imposed by it,
6 gross receipts received by a retailer from a manufacturer, wholesaler, or distributor pursuant to
7 a written contract between the retailer and manufacturer, wholesaler, or distributor that requires
8 the retailer to display the manufacturer, wholesaler, or distributor's product or signage in a
9 specified manner or location. Any discount or deferred payment received by a retailer from a
10 distributor, wholesaler, or manufacturer for purchasing a product for sale at retail does not
11 constitute gross receipts subject to the tax imposed by this chapter.

